

REMARKS

Claims 11 and 12 remain pending. Favorable reconsideration is respectfully requested.

The rejections of Claim 12 under 35 U.S.C. 102(b) over Nishiya et al. or JP '281, under 35 U.S.C. §112, first paragraph (written description), and for obviousness-type double patenting rejection over the '477 application are believed to be obviated by the amendment submitted above. In Claim 12, (b) has been deleted. Accordingly, withdrawal of those grounds of rejection is respectfully requested.

The rejection of Claim 11 under 35 U.S.C. §112, second paragraph, is believed to be obviated by the amendment submitted above. That claim specifies that the modified sarcosine oxidase is encoded by a DNA derived by modifying a DNA having the nucleotide sequence represented by SEQ ID NO: 2. In view of the foregoing, the claims are definite within the meaning of 35 U.S.C. §112, second paragraph.

The rejection of the claims under 35 U.S.C. §112, first paragraph (enablement), is respectfully traversed.

As amended Claim 11, is directed to a modified sarcosine oxidase that has specified properties and is encoded by a DNA derived by modifying a DNA having the nucleotide sequence represented by SEQ ID NO: 2. The present specification provides a detailed procedure for making and using the claimed sarcosine oxidase, especially at page 3, line 23 to page 10, line 12. Accordingly, withdrawal of this ground of rejection is respectfully requested.

The objection to Claim 11 is believed to be obviated by the amendment submitted above. Section (e) of Claim 11 has been appropriately amended.

Application No. 10/829,427
Reply to Office Action of May 9, 2006

Applicants submit that the present application is in condition for allowance. Early notice to this effect is earnestly solicited.

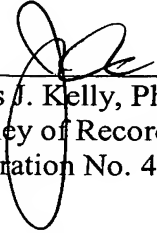
Respectfully submitted,

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